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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,486	02/17/2004	Brian D. Robertson	AMAZON.18C1C1	1537
20995	7590	11/05/2004	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			JEANTY, ROMAIN	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/780,486	ROBERTSON ET AL.
	Examiner Romain Jeanty	Art Unit 3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 22-33 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8, 10-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### **Election/Restrictions**

1. Applicant's election without traverse of Group I (claims 1-28) in the reply filed on August 3, 2004 is acknowledged.

During a telephone interview with Ronald Schoenbaum on October 18, 2004, Mr. Schoenbaum indicated that claims 9, 22-27 have been canceled; claims 9, 22-27 will be grouped with already cancelled claims 29-33 (previously elected).

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

#### **In the claims**

Claims 9, 22-28 have been cancelled.

Authorization for this examiner's amendment was given in a telephone interview with Ronald Schoenbaum on October 18, 2004

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be

patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 7-8, 10-11, 16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art [figs. 1-4, page 1, line 10 to page 3, line 30], in view of de Hond (US Patent No. 5,796,395).

As per claims 1, 8, and 10-11, and 19-20, Applicant's admitted prior art (Figs. 1 & 2) discloses network personal management system, comprising:

a networked server system that provides a user interface having functionality for users to establish relationship with other users that each user may have one or more contacts (Fig. 2, item 1-30).  
a database that stores relationship data indicating the relationship established between the users via the user interface, wherein the relationship data identifies, for each respective user, which other users are contacts of the respective user (fig. 2, item 148);

Applicant's admitted prior art teaches all of the limitations above. However, applicant's admitted prior art fails to disclose a search module that provides functionality for users to search the database for contacts of their respective contacts, such that a first user may submit a search request to identify other users that are contacts of contacts of the first user

de Hond in the same field of endeavor, discloses a system which allows a user to submit a search query for identifying other contact users of interest of the user search for where users can find and make contact with people of similar interests (affinity groups) the system comprises a plurality of clients and server (col. 3, line 42-col. 4, line 45 and col. 11, lines 13-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use de Hond's teaching to modify the system of Applicant's admitted prior art by permitting the users to search for contacts of their respective

contacts. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Applicant's admitted prior art in view of de Hond by allowing a user to submit a search query for other contact users of interest of a users. A person having ordinary skill in the art would have been motivated to use such a modification in order to provide consistent and updated information to all persons in contact with the user.

As per claims 7, and 16, de Hond further discloses a software application that displays to the user the personal information in fields such as real name, nick name, zip code, e-mail address, date of birth, etc., each field is represented by an icon in a pull-down menu (col. 9, lines 24-44) and users query the database to select others based on one or more of these various fields (col. 10, lines 4345).

5. Claims 2-6, 12-15, 17-18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (figs. 1-4, page 1, line 10 to page 3, line 30], in view of de Hond (US. Pat. No. 5,796,395)) as applied to claim 1 above and further in view of Herz et al (US Patent No. 5, 835,087).

As per claims 2-6 and 12-15, 17-18, Applicant's admitted prior art teaches wherein the database additionally includes personal data records of the users (col. 2, lines 37-44). However, Applicant's admitted prior art combination with de Hond fails to explicitly disclose the concept of permission level granted by respective user. Herz et al on other hand discloses summary for each user to be used to efficiently organize the distribution of information in a large scale system consisting of many users interconnected by means of a communication network, to ensure privacy of a user's target profile interest summary, the user is given control over the ability of third parties to access this summary and to identify or contact the user (col. 1, lines 35-43). The user may desire that all or part of the target profile interest summary be kept confidential such as information relating to the user's political, religious behavior, etc. The data in user's target profile interest summary be protected from unwanted disclosure except with the user's agreement (col. 5, lines 40-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hertz's teaching to modify the system of Applicant's admitted prior art, in view of de Hond with the motivation to grant permission to access personal information on an individual basis and solely in accordance with an associated permissions granted by the user for all or part of (fields) his personal information in order to keep the contact information of each member confidential, allow each member to control access of his personal data on case by case consent and achieve privacy protection in an electronic information delivery network, which makes the system more attractive for the users and increase it's utility.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 18, 2004

Romain Jeanty

**ROMAIN JEANTY  
PRIMARY EXAMINER**

Art Unit 3623